




IN THE 11TH JUDICIAL CIRCUIT COURT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: KRISTIE JEAN SWAIN	Case Number: 1211-AC07546
Plaintiff/Petitioner: BROC HUNNELL	Plaintiff/Petitioner's Attorney/Address: RICHARD ANTHONY VOYTAS Jr. 1 NORTH TAYLOR AVE SAINT LOUIS, MO 63108 (314) 922-1066
Defendant/Respondent: NATIONAL HEALTHCARE COLLECTIONS, LLC	Date, Time and Location of Court Appearance: 04-DEC-2012, 09:00 AM TRANSFER JUDGE COURTROOM 300 N 2nd STREET SAINT CHARLES, MO 63301
Nature of Suit: AC Other Tort	

(Data File Stamp)

Associate Division Summons

The State of Missouri to: **NATIONAL HEALTHCARE COLLECTIONS, LLC**
 Alias:
DWAYNE A JOHNSON REEL AGT.
220 BALE LICK ROAD
ST. PETERS, MO 63376

COURT SEAL OF

ST. CHARLES COUNTY

You are summoned to appear before this court on the date, time, and location above to answer the attached petition. If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. You may be permitted to file certain responsive pleadings, pursuant to Chapter 517 RSMo. Should you have any questions regarding responsive pleadings in this case, you should consult an attorney.
 If you have a disability requiring special assistance for your court appearance, please contact the court at least 48 hours in advance of scheduled hearing.

October 23, 2012 Date /s/ JUDY ZERR Clerk

Further Information:

Sheriff's or Server's Return
 Note to serving officer: Service must not be made less than ten days nor more than sixty days from the date the Defendant/Respondent is to appear in court.
 I certify that I have served the above summons by: (check one)
☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
☐ other _____

Served at _____ (address)
 in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server _____ Signature of Sheriff or Server _____
 Must be sworn before a notary public if not served by an authorized officer:
 Subscribed and sworn to before me on _____ (date).
 My commission expires: _____ Date _____ Notary Public _____

Sheriff's Fees, if applicable
 Summons \$ _____
 Non Est \$ _____
 Sheriff's Deputy Salary \$ _____
 Supplemental Surcharge \$ 10.00
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 34.



6. Defendant ("NHC") is a Missouri limited liability company with its principal place of business in St. Peters, Missouri. The principal business purpose of Defendant is the collection of debts in Missouri and nationwide, and Defendant regularly attempts to collect debts alleged to be due another.

7. Defendant is engaged in the collection of debts from consumers using the mail and telephone. Defendant is a "debt collector" as defined by the FDCPA. 15 U.S.C. § 1692a(6).

8. Defendant NHC has not registered "The Johnson Law Firm" or any similar name as a trade name or a d/b/a.

9. Defendant NHC is not, and never has been, "The Johnson Law Firm, LLC."

FACTS

10. Defendant NHC's collection activity of which Plaintiff complains occurred within the past twelve (12) months.

11. The Johnson Law Firm LLC ("JLF") is a Missouri limited liability company with its principal place of business at 220 Salt Lick Road, St. Peters, MO 63376.

12. Vince L. Johnson ("VLJ") is a Missouri-licensed attorney residing and doing business in St. Charles County, Missouri.

13. Within the year prior to this Petition, Defendant NHC placed VLJ's signature and JLF's name on several pieces of collection correspondence sent to Plaintiff to make it appear as though VLJ was himself engaged in the attempt to collect the debt from the consumer.

14. During all times relevant, Defendant employed subterfuge to make it appear to Plaintiff like JLF, an actual law firm, and VLJ, a Missouri-licensed attorney, were the entities that were pursuing Plaintiff for the debt.

15. In reality, Defendant NHC was the only entity that was sending Plaintiff collection letters—even the letters that appeared to be from JLF / VLJ.

16. Neither VLJ nor JLF was actually involved in the collection of the debt.

17. Specifically, VLJ did not review Plaintiff's file before NHC sent out the letter purporting to be from VLJ and JLF.

18. Furthermore, JLF was doing nothing to collect on the debt at the time NHC sent out the letter purporting to be from VLJ and JLF.

19. Plaintiff received letters from both "National Healthcare Collections, LLC" and "The Johnson Law Firm, LLC" the debt underlying this lawsuit.

20. Plaintiff was confused as to who was attempting to collect the alleged debt, who he was to speak with concerning the debt, and who he would pay if he wanted to pay off the alleged debt.

21. On or about September 24, 2012, Plaintiff called Defendant to obtain more information about the debt and Defendant's collection activities.

22. In the September 24 telephone conversation, Defendant identified itself as both Defendant NHC *and* JLF.

23. Also during the September 24 conversation, Defendant made false threats of litigation against Plaintiff on the alleged debt.

24. Defendant had no authority to or intention of taking legal action against Plaintiff for an approximately \$50 debt.

25. Plaintiff never entered into any agreement whereby he consented to arbitrate disputes between himself and Defendant.

26. Defendant's collection attempts have caused Plaintiff to incur actual damages including but not limited to anxiety, sleeplessness, and worry.

COUNT I: VIOLATION OF THE FDCPA

27. Plaintiff re-alleges and incorporates by reference all of the above paragraphs.

28. In its attempts to collect the alleged debt from Plaintiff, Defendant has committed violations of the FDCPA, 15 USC 1692 *et. seq.*, including, but not limited to, the following:

a. Falsely representing that its collection letters were from an attorney. 15 U.S.C. § 1692e.

b. Threatening to take legal action it had no authority to take and which it did not intend to take. 15 U.S.C. § 1692e.

c. Making it appear as though JLF / VLJ were involved in the collection of the debt when those entities were not so involved. 15 U.S.C. § 1692j.

d. Employing unfair, unconscionable, misleading and deceptive tactics in attempting to collect the alleged debt, including but not limited to falsifying its identity, making it appear that JLF / VLJ was involved in collecting the debt, and stating that it was both NHC and JLF at the same time. 15 U.S.C. § 1692d-f.

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendant for:

- A. Judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages;
- C. Release of the alleged debt;
- D. Statutory damages, costs and reasonable attorney's fees pursuant to 15 USC 1692(k); and
- E. For such other relief as the Court may deem just and proper.

EASON & VOYTAS, LLC

/s/ Richard A. Voytas, Jr.

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